

2024:PHHC:091074



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

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**CM-10900-CWP-2024 in/and
CWP-17900-2019
Date of decision: 19.07.2024**

NATIONAL INSURANCE COMPANY LTD.Petitioner

VERSUS

GURPREET SINGH AND ANOTHERRespondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- Ms. Swatantar Kapoor, Advocate
for the non-applicant-petitioner.

Mr. Mukesh Kumar Bhatnagar, Advocate
for applicant-respondent No.1.

VINOD S. BHARDWAJ, J. (Oral)

CM-10900-CWP-2024

The instant application has been filed under Section 151 of the Code of Civil Procedure, 1908 for seeking disposal of the main case in terms of the settlement dated 09.07.2024 held amongst the parties before the Mediation and Conciliation Centre of this Court.

Learned counsel appearing on behalf of the applicant-respondent No.1 contends that the parties have amicably settled their dispute before the Mediation and Conciliation Centre of this Court on 09.07.2024.

Notice in the application.



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Ms. Swatantar Kapoor, Advocate appears and accepts notice on behalf of the non-applicant-petitioner and has no objection to the aforesaid prayer being allowed.

In view of the above, the present application is allowed and hearing in the main case is postponed from 16.09.2024 and the same is taken up on Board today itself.

CWP-17900-2019

Challenge in the present writ petition is to the order dated 01.04.2019 passed by the Permanent Lok Adalat (Public Utility Services), Rupnagar in case No. 08 of 24.01.2018 whereby despite the fact that the petitioner had never given its consent for settlement of dispute by way of conciliation and the claim as submitted by respondent No.1 has been approved on non-standard basis as per the terms and conditions of the Policy.

An application bearing CM-10900-CWP-2024 which is duly supported by an affidavit of respondent No.1-Gurpreet Singh son of Amarjeet Singh, resident of Village Kotbala, Tehsil Nangal, District Rupnagar has been moved for seeking withdrawal of the instant writ petition on the basis of compromise dated 09.07.2024 effected between the parties.

Learned counsel appearing on behalf of respondent No.1 contends that a direction may be issued to the Executing Court to release the amount as per settlement amongst the parties.



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The amount of Rs. 7,96,500/- deposited by the petitioner-Company with the Executing Court in compliance to the order dated 05.07.2019 may be released alongwith interest @ 12% per annum from the date of institution of application before the Permanent Lok Adalat till its actual deposit before the Executing Court and the accrued interest thereafter till its realization. The differential excess amount alongwith any accrued interest thereupon shall be released in favour of the petitioner-Insurance Company.

In view of the above, the present writ petition is disposed of accordingly.

**(VINOD S. BHARDWAJ)
JUDGE**

JULY 19, 2024

Vishal sharma

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No